

PROB 12B  
(7/93)

Report Date: June 19, 2006  
**FILED IN THE**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**United States District Court**

for the

**JUN 29 2006**

**Eastern District of Washington**

**JAMES R. LARSEN, CLERK**  
DEPUTY  
SPOKANE, WASHINGTON

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: Flint Fire Herrmann

Case Number: 2:03CR00069-001

Name of Sentencing Judicial Officer: The Honorable Fred Van Sickle

Date of Original Sentence: 10/22/2003

Type of Supervision: Supervised Release

Original Offense: Felon in Possession of a Firearm,  
18 U.S.C. § 922(g)(1)

Date Supervision Commenced: 04/26/2006

Original Sentence: Prison - 37 months;  
TSR - 36 months

Date Supervision Expires: 12/25/2007

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**PETITIONING THE COURT**

To modify the conditions of supervision as follows:

- 18      **Amended Special Condition:** You shall reside in a residential reentry center for a period up to five (5) months. This placement may include a pre-release component, day reporting and home confinement (with or without electronic monitoring but not to include GPS) at the direction of the CCM and USPO. You shall abide by the rules and requirements of the facility. You shall remain at the facility until discharged by the Court.

**CAUSE**

Mr. Herrmann was sentenced by Your Honor on January 12, 2006, to serve 120 days confinement with the Bureau of Prisons (BOP). Following his release, he was to be admitted directly to an inpatient treatment facility followed by placement in a community corrections center (CCC) for up to six (6) months.

However, following Mr. Herrmann's release from the custody of BOP, no placement had been arranged at an inpatient treatment facility. Per recommendation of the probation office and Mr. Herrmann's attorney, it was decided Mr. Herrmann should be placed in a residential reentry center (RRC) until an inpatient treatment bed date was obtained.

Mr. Herrman has resided at a RRC placement since April 27, 2006, awaiting placement at an inpatient treatment facility. This officer has attempted to obtain inpatient placement for Mr. Herrmann since his arrival at the RRC, however, all attempts to obtain funding have been unsuccessful, or will require a lengthy waiting period.

On May 30, 2006, this officer was informed by Geiger Corrections Center staff that Mr. Herrmann had submitted a urinalysis sample which tested positive for marijuana (THC). The sample was sent to Pathology Associates Medical Laboratory and confirmed positive for the presence of THC.

Prob 12B

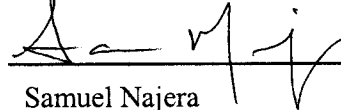
**Re: Herrmann, Flint Fire****June 19, 2006****Page 2**

This officer consulted with Arturo Garcia, Chemical Dependency Professional with New Horizon Care Center regarding Mr. Herrmann's substance abuse evaluation conducted on January 18, 2006. The recommendation from this evaluation was that Mr. Herrmann required inpatient treatment. However, due to Mr. Herrmann's current difficulty obtaining inpatient treatment, and his recent relapse on marijuana, Mr. Garcia feels Mr. Herrmann's substance abuse treatment needs can be met by intensive outpatient substance abuse treatment and with the current structured environment of the RRC.

The probation office believes the above modification will address Mr. Herrmann's recent violation behavior of using a controlled substance, and his need for substance abuse treatment. In addition, Mr. Herrmann will have the opportunity to participate in the work-release program when he is stabilized with substance abuse treatment. Please advise this officer should Your Honor require a different course of action, or a Court appearance by Mr. Herrmann.

Respectfully submitted,

by



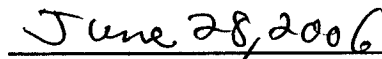
Samuel Najera  
U.S. Probation Officer  
Date: June 19, 2006

**THE COURT ORDERS**

- ☐ No Action  
☐ The Extension of Supervision as Noted Above  
☒ ~~FIS~~ The Modification of Conditions as Noted Above  
☐ Other



Signature of Judicial Officer



Date

PROB 49  
(3/89)RECEIVED  
JUN 19 2006  
U.S. PROBATION  
OFFICE SPOKANE**United States District Court****Eastern District of Washington****Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision**

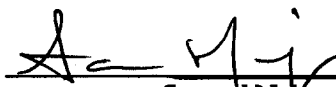
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

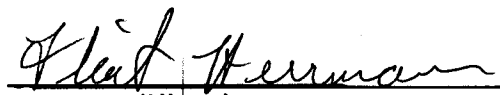
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Witness:

  
Samuel Najera  
U.S. Probation Officer

Signed:

  
Flint Fire Herrmann  
Probationer or Supervised Releasee

6/19/06  
Date